

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BARBARA C. PETTITT,

Plaintiff,

v.

COSTCO WHOLESALE
CORPORATION,

Defendant.

Case No. 1:22-CV-00608-JLT-HBK

ORDER DENYING WITHOUT PREJUDICE
STIPULATED PROTECTIVE ORDER

(Doc. No. 17)

Pending before the Court is the parties' request for approval of the proposed stipulated protective order filed on December 20, 2022. (Doc. No. 17). The Court denies the request, without prejudice, because the proposed protective order does not comply with the Court's Local Rules.

More specifically, the proposed protective order does not define exactly what materials are protected. Notably, the term "confidential" is defined as follows:

'CONFIDENTIAL' Information or Items: information (regardless of how it is generated, stored or maintained) or tangible things that qualify for protection under California law.

(Doc. No. 17 at 1-2). Similarly, "PROTECTED MATERIAL" is defined as "any Disclosure or Discovery Material that is designated as "CONFIDENTIAL.'" (*Id.* at 2-3). Such language is too

broad and is not compliant with this Court's Local Rules. Specifically, Eastern District of California Local Rule 141.1(c) requires that every proposed protective order contain the following:

[a] description of the types of information eligible for protection under the order, with the description provided **in general terms sufficient to reveal the nature of the information** (e.g., customer list, formula for soda, diary of a troubled child); (2) [a] showing of particularized need for protection as to each category of information proposed to be covered by the order; and (3) [a] showing as to why the need for protection should be addressed by a court order, as opposed to a private agreement between or among the parties.” (Paragraph breaks omitted.)


Eastern District of California Local Rule 141.1(c) (emphasis added).

The parties proposed protective order fails to comply with Local Rule 141.1(c). The proposed language contains only a catchall description of confidential information which is not sufficient “in general terms [] to reveal the nature of the information” under the applicable Rule. Furthermore, the parties make neither a showing of particularized need for protection as to each category nor provide an explanation as to why a court order, as opposed to a private agreement between the parties, is necessary.

Accordingly, it is **ORDERED**:

The parties' request for approval of the proposed stipulated protective order (Doc. No. 17) is DENIED, without prejudice, to refiling a stipulated protective order that complies with Local Rule 141.1(c).

Dated: January 4, 2023


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE